

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

EXECUTONE INFORMATION SYSTEMS, INC.)	
_____)	CASE NO. 94-057
ALLEGED VIOLATIONS OF KRS 278.020 AND KRS)	
278.160)	

O R D E R

On August 30, 1993, Executone Information Systems, Inc. ("Executone") filed an application for a Certificate of Public Convenience and Necessity to provide intrastate resale telecommunications services.¹ The record in that case discloses that Executone has provided intrastate long-distance telecommunications services in Kentucky since January 1990 and has collected \$8,520.55 from customers for services rendered. See Executone's December 15, 1993 response to the Commission's October 21, 1993 Order, attached hereto and incorporated herein as Appendix A.

Accordingly, the Commission finds that a prima facie showing has been made that Executone has violated KRS 278.020(1) and KRS 278.160 by failing to obtain proper certification from the Commission prior to providing utility service to Kentucky residents and by failing to file a schedule of rates and conditions of

¹ Case No. 93-314, The Petition of Executone Information Systems, Inc. for a Certificate of Public Convenience and Necessity to Operate As a Reseller of Telecommunications Services Within the State of Kentucky.

service prior to collecting compensation for the service provided, respectively. Therefore, Executone should immediately cease and desist charging for any interexchange telecommunications services within the Commonwealth of Kentucky.

IT IS THEREFORE ORDERED that:

1. Executone shall immediately cease and desist from charging for any interexchange telecommunications services within the Commonwealth of Kentucky.

2. Executone shall appear at a hearing scheduled on March 24, 1994, at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, to present evidence on the alleged violations of KRS 278.020(1) and 278.160, and to show cause, if any it can, why penalties should not be imposed in accord with KRS 278.990 and why all compensation collected from Kentucky residents should not be refunded.

3. Executone shall file a response to the probable violations noted herein within 20 days of the date of this Order, and any request for an informal conference shall be filed in writing within that time.

4. Any request to reschedule the hearing shall be made in writing no later than 48 hours prior to the scheduled hearing date.

5. The record of Case No. 93-314 be and it hereby is incorporated by reference.

Done at Frankfort, Kentucky, this

14th day of February, 1994.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 94-057 DATED February 14, 1994.

5. Has Executone or any of its affiliates ever provided, or collected any money from the public for, intrastate telecommunications services in Kentucky? If so, explain in detail.

Answer: EXECUTONE has provided intrastate long distance telecommunications services in Kentucky, and has collected money from subscribers for such services, since January, 1990.

EXECUTONE has collected \$8,520.55 from subscribers for the period from January 1990 to the present.